

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SUZANNE DRAKE BLANTON

Registered Nurse License No. 617914

Respondent

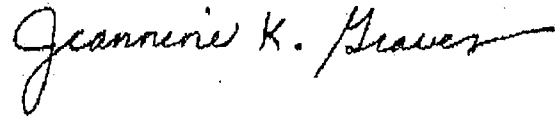
Case No. 2011-890

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **August 18, 2011.**

IT IS SO ORDERED **August 18, 2011.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
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7 *Attorneys for Complainant*

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-890

12 **SUZANNE DRAKE BLANTON**
13 **9914 N. 65th Avenue**
Glendale, AZ 85302
14 **Registered Nurse License No. 663995**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Respondent.

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
21 Registered Nursing. She brought this action solely in her official capacity and is represented in
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Susana A.
23 Gonzales, Deputy Attorney General.

24 2. Suzanne Drake Blanton (Respondent) is representing herself in this proceeding and
25 has chosen not to exercise her right to be represented by counsel.

26 3. On or about August 19, 2005, the Board of Registered Nursing issued Registered
27 Nurse License No. 663995 to Suzanne Drake Blanton (Respondent). The Registered Nurse
28 License expired on January 31, 2009, and has not been renewed.

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1 Registered Nursing may communicate directly with the Board regarding this stipulation and
2 surrender, without notice to or participation by Respondent. By signing the stipulation,
3 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
4 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
5 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be
6 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
7 between the parties, and the Board shall not be disqualified from further action by having
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of
10 License and Order, including facsimile signatures thereto, shall have the same force and effect as
11 the originals.

12 12. This Stipulated Surrender of License and Order is intended by the parties to be an
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
15 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
16 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
17 executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Board may, without further notice or formal proceeding, issue and enter the following Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Registered Nurse License No. 663995, issued to
22 Respondent Suzanne Drake Blanton, is surrendered and accepted by the Board of Registered
23 Nursing.

24 14. The surrender of Respondent's Registered Nurse License and the acceptance of the
25 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
26 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
27 license history with the Board.
28

1 15. Respondent shall lose all rights and privileges as a Registered Nurse in California as
2 of the effective date of the Board's Decision and Order.

3 16. Respondent shall cause to be delivered to the Board her pocket license and, if one was
4 issued, her wall certificate on or before the effective date of the Decision and Order.

5 17. If Respondent ever files an application for licensure or a petition for reinstatement in
6 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
7 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
8 effect at the time the petition is filed, and all of the charges and allegations contained in
9 Accusation No. 2011-890 shall be deemed to be true, correct and admitted by Respondent when
10 the Board determines whether to grant or deny the petition.

11 18. If and when Respondent's license is reinstated, she shall pay to the Board costs
12 associated with its investigation and enforcement pursuant to Business and Professions Code
13 section 125.3 in the amount of \$617.50. Respondent shall be permitted to pay these costs in a
14 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the
15 Board from reducing the amount of cost recovery upon reinstatement of the license.

16 19. If Respondent should ever apply or reapply for a new license or certification, or
17 petition for reinstatement of a license, by any other health care licensing agency in the State of
18 California, all of the charges and allegations contained in Accusation No. 2011-890 shall be
19 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
20 Issues or any other proceeding seeking to deny or restrict licensure.

21 20. Respondent shall not apply for licensure or petition for reinstatement for two (2)
22 years from the effective date of the Board of Registered Nursing's Decision and Order.

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DATED: 6/20/2011

ENDORSEMENT

Dated: July 7, 2011

KAMALA D. HARRIS
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General

~~Stipulated Surrender of License (Case No. 2011-890)~~

Exhibit A

Accusation No. 2011-890

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
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10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-890

12 **SUZANNE DRAKE BLANTON**
9914 N. 65th Avenue
13 Glendale, AZ 85302
14 Registered Nurse License No. 663995

ACCUSATION

Respondent.

15
16
17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about August 19, 2005, the Board of Registered Nursing issued Registered
23 Nurse License Number 663995 to Suzanne Drake Blanton (Respondent). The Registered Nurse
24 License expired on January 31, 2009, and has not been renewed.

25 JURISDICTION

26 3. This Accusation is brought before the Board of Registered Nursing (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

1 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,
2 that the Board may discipline any licensee, including a licensee holding a temporary or an
3 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
4 Nursing Practice Act.

5 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
6 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
7 licensee or to render a decision imposing discipline on the license. Under Code section 2811,
8 subdivision (b), the Board may renew an expired license at any time within eight years after the
9 expiration.

10 6. Section 118, subdivision (b), of the Code provides, in pertinent part, that the
11 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
12 action during the period within which the license may be renewed, restored, reissued or
13 reinstated.

14 STATUTORY PROVISIONS

15 7. Section 2761 of the Code states:

16 "The board may take disciplinary action against a certified or licensed nurse or deny an
17 application for a certificate or license for any of the following:

18 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

19 ...

20 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
21 against a health care professional license or certificate by another state or territory of the United
22 States, by any other government agency, or by another California health care professional
23 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
24 action."

25 DRUGS

26 8. "Demerol" is a narcotic analgesic and is a Section II controlled substance as
27 designated by Health and Safety Code section 11055, subdivision (c)(17), and a dangerous drug
28

1 pursuant to Code section 4022. Demerol can produce drug dependence of the morphine type and
2 therefore has the potential for being abused.

3 9. "Stadol" is a trade name for Butorphanol Tartrate, and is a synthetically derived
4 opioid agonist-antagonist analgesic. It is a dangerous drug within the meaning of Business and
5 Professions Code section 4022. One milligram of Stadol is equianalgesic to 5 milligrams of
6 morphine. Stadol's principal therapeutic use is relief of pain. Mixed agonist-antagonist opioid
7 analgesics, as a class, have lower abuse potential than Morphine but can be and have been
8 reported to be abused.

9 COST RECOVERY

10 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
11 administrative law judge to direct a licentiate found to have committed a violation or violations of
12 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case.

14 FIRST CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct – Out of State Discipline)
16 (Bus. & Prof. Code § 2761, subd. (a)(4))

17 11. Respondent has subjected her registered nurse license to disciplinary action under
18 Code section 2761, subdivision (a)(4), in that on or about October 26, 2007, in a disciplinary
19 action before the Arizona State Board of Nursing, Order Number 0703006, the Arizona Board
20 entered a Consent Agreement placing Respondent's registered nurse license on probation for one
21 year, subject to various terms and conditions. If Respondent was unable to have her migraines
22 managed without the use of controlled substances, the Consent Agreement required her to
23 undergo a neuropsychological evaluation with psychometric testing by a Board-approved
24 psychologist, to be completed within 60 days of the effective date of the Consent Agreement.
25 The evaluation was required to include a history and physical, relevant laboratory data if
26 appropriate, psychological testing, if appropriate, recommendations for treatment, if any, and an
27 assessment as to Respondent's ability to function safely in nursing. If the psychologist
28 recommended medical treatment or psychological therapy or counseling, Respondent was

1 required to provide the Arizona Board with the name and qualifications of each treatment
2 professional, and upon approval by the Board, provide the professional with a copy of the entire
3 Consent Agreement and undergo and continue treatment until the professional determined that
4 treatment was no longer necessary. The professional was also required to submit quarterly
5 reports to the Arizona Board.

6 12. The Consent Agreement also required that during the period of probation
7 Respondent: (1) use only one pharmacy to obtain her prescriptions and notify the Board of every
8 pharmacy or facility from which she currently obtains prescription medications; (2) enroll in a
9 program that meets the Arizona Board's criteria for random drug testing and participate in
10 random drug testing at least once per month; (3) abstain completely from the personal use of
11 alcoholic beverages; (4) abstain completely from the personal use or possession of controlled
12 substances and if Respondent has a lawful prescription for a narcotic or mood-altering drug, cause
13 her prescribing provider to submit monthly reports to the Board by the 30th day of each month
14 regarding the continued need for the prescribed narcotic or mood-altering drug; (5) provide a
15 copy of the Consent Agreement to any employer where a registered nurse license is required and
16 to the Program Director of any nursing program Respondent attends; (6) if working in a setting
17 that requires a registered nurse license, cause her employer to submit quarterly evaluations to the
18 Arizona Board; (7) practice under the on-site supervision of a professional nurse in good standing
19 with the Arizona Board; (8) work only the day or evening shift and not work more than 84 hours
20 in any 14 day period; (9) not work for a nurse's registry, home health, traveling nurse agency, or
21 any other temporary employment agency, float pool, or position that requires on-call status;
22 (10) receive Board approval of any out-of-state practice before such practice can be credited
23 towards fulfillment of the Consent Agreement; (11) sign all release of information forms as
24 required by the Arizona Board and return them to the Board within 10 days of the Board's written
25 request; (12) appear in person for Board interviews or telephonically if residing out-of-state;
26 (13) renew her license if it is set to expire while the Consent Agreement is in effect; (14) notify
27 the Board, in writing, of any change in nursing employment, personal address, or telephone
28 number; (15) obey all laws; and (16) bear all costs associated with complying the Consent

1 Agreement. The Consent Agreement allowed the Board to take further disciplinary action against
2 Respondent if she failed to comply with any of its terms, and Respondent could voluntarily
3 surrender her license at any time while the Consent Agreement was in effect.

4 13. The underlying conduct supporting the Arizona Board's disciplinary action is that on
5 or about March 7, 2007, the Arizona Board received a complaint alleging that Respondent was
6 using excessive Demerol. On or about March 9, 2007, Respondent told staff from the Arizona
7 Board that she was under the care of a neurologist, Dr. Barry Johnson, for intractable migraine
8 headaches, which she has suffered since she was a teenager. Respondent stated that she is
9 prescribed Maxalt and Stadol, and when neither medication is effective, she is prescribed
10 Demerol. Respondent denied abusing any of her prescribed medications. On or about August 7,
11 2007, Respondent notified the Nevada Board that Dr. Johnson referred her to another neurologist,
12 Dr. Carol Foster. On or about August 20, 2007, Dr. Johnson wrote a letter to the Board stating
13 that he would continue to monitor Respondent's care without the use of narcotic medications. Dr.
14 Johnson stated that he would no longer prescribe Demerol or Stadol to Respondent. The Arizona
15 Board concluded that Respondent's conduct constituted a violation of the Nevada Nurse Practice
16 Act.

17 SECOND CAUSE FOR DISCIPLINE

18 (Unprofessional Conduct – Out of State Discipline)
19 (Bus. & Prof. Code § 2761, subd. (a)(4))

20 14. Complainant hereby realleges the allegations contained in paragraphs 11 through 13
21 above, and incorporates them by reference as if fully set forth.

22 15. Respondent has subjected her registered nurse license to disciplinary action under
23 Code section 2761, subdivision (a)(4), in that on or about September 15, 2010, in a disciplinary
24 action before the Arizona Board, Order Number 1001108, the Arizona Board entered a Consent
25 for Entry of Voluntary Surrender, accepting Respondent's request to voluntarily surrender her
26 registered nurse license.

27 16. The underlying conduct supporting the Arizona Board's disciplinary action is that on
28 or about October 26, 2007, Respondent entered the Consent Agreement set forth in paragraphs 11

1 through 13 above. Among other requirements, the Consent Agreement required Respondent to
2 submit to random urine drug screens and complete 12 months of nursing employment with
3 satisfactory performance evaluations. Respondent failed to comply with the Consent Agreement
4 when a urine sample she submitted on or about January 13, 2010, tested positive for marijuana.
5 Furthermore, on or about March 2, 2010, Respondent underwent a psychological evaluation with
6 Buffy T. Wooten, Ph.D. Dr. Wooten recommended that Respondent undergo individual
7 psychotherapy with a clinician with expertise in addiction to monitor her current use and potential
8 abuse of prescribed opiates and assist with referrals and education on alternative methods of pain
9 management. On or about March 23, 2010, the Arizona Board reviewed Respondent's non-
10 compliance history and voted to offer Respondent a Consent Agreement for 12-months of stayed
11 revocation probation, followed by a 12-month standard probation with terms and conditions. The
12 Arizona Board further voted that if the Consent Agreement was not signed by Respondent, a
13 Notice of Charges would be issued. On or about September 7, 2010, Respondent requested to
14 voluntarily surrender her registered nurse license.

15 PRAYER

16 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
17 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

18 1. Revoking or suspending Registered Nurse License Number 663995, issued to
19 Suzanne Drake Blanton;

20 2. Ordering Suzanne Drake Blanton to pay the Board of Registered Nursing the
21 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
22 Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: April 28, 2011

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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